

REMARKS

Claims 19-20, 23-29, 31 and 33-36 remain in the application after final rejection. The rejection is based on new grounds: Steger (U.S. 6,505,247) in view of Hawes (U.S. 6,904,686). However, the final rejection is not understood and appears to be in error. Based on the following distinctions the Examiner is requested to withdraw the rejections.

Per claim 19, the invention relates to a system for updating a set of multiple items of information displayable on a client display. Applicants teach that a server may be connected to receive the multiple items of information ... and provide the items of information to the client for viewing all of the set of multiple items at one time on the client display. None of the citations (see Steger at Col. 7, lines 3-10; Col. 8, lines 14-19) appear to relate to this subject matter. MPEP 2143.03 provides that to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. All words in a claim must be considered for judging the patentability of the claim against the prior art.

Another example which evidences the deficiency in this rejection is the attempt to read applicants' "third mechanisms" on Col. 19, lines 25-35 of Steger when the prior art does not teach or suggest sending an updated information unit to the client to replace an information unit having the same identifier and already used in the display based on whether a new update stamp has been assigned. The citation may have been provided as a result of a word data search for "time stamp" but the term is taken out of context and the reference does not disclose or suggest

"third mechanisms ... to replace an information unit having the same identifier and already used in the display based on whether a new update stamp has been assigned [Emphasis Added]."

Rather, the citation from Steger makes no conditional relationship between a change in an update stamp and replacement of information. Again, none of this relates to viewing all of the set of multiple items at one time on the client display.

It is only with hindsight knowledge of the present invention and, apparently with a data word searching tool, that the Examiner has crafted such a piecemeal recombination of the prior art and, still, the combination is clearly deficient. As noted in MPEP Section 2142, the tendency to resort to hindsight based on the applicants' disclosure is often difficult to avoid due to the

nature of the examination process. Nonetheless, such hindsight must be avoided. Legal conclusions of obviousness must be reached on the basis of facts gleaned from the prior art.

In addition to a requirement that the claimed features be present in the prior art, there must also be a teaching or a suggestion in the references in order to combine the features. This is totally lacking.

The claims also distinguish over the prior art for a second reason. The system of claim 19 includes

“a server ... configured to provide the items of information to the client for viewing all of the set of multiple items at one time on the client display ...
first mechanisms for defining an information unit for each of the multiple items in the set, assigning to each unit an identifier, managing the identifiers to identify the information units and assigning an update stamp to each identifier;
second mechanisms for assigning the new items of information ... to the identifiers and for each new item also assigning a new update stamp ... and
third mechanisms ... to replace an information unit having the same identifier and already used in the display based on whether a new update stamp has been assigned [Emphasis Added].”

The subject matter of independent claim 19 requires that an identifier and an update stamp are assigned to each information unit and the display includes multiple information units and information units presented in the client display are updated based on whether a new time stamp has been assigned. Accordingly, a feature of the invention defined in claim 19 is that information **simultaneously presentable in a display** may be segmented into units that are individually updatable based on availability of new information associated with each unit. As a result, *the invention enables partial replacement of viewing data* based on whether the data in a specific information unit has changed, while not requiring that all of the viewing data used on a display screen be re-sent to the display.

The subject matter of claim 28 differs for reasons similar to those presented above with regard to claim 19. By way of example, claim 28 requires

“displaying ... multiple items of information together in a screen view on a client display wherein the individual items of information are separately identifiable and provided in the form of information units ...

[wherein] ... information units corresponding to different items of information are separately assigned time stamps and are separately updatable;
providing identifiers to identify individual ones of the information units;

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assigning each of the new items of information to one of the identifiers and assigning to each said new item a updated time stamp which indicates that said new item is an update relative to a previously received and displayed item of information assigned to the same identifier; and

determining by comparing values of an updated stamp with a previously assigned time stamp whether any of the items of information has been modified relative to a previously received item [Emphasis Added].”

Based on the above recitations, a feature of claim 28 is the ability determine whether individual items of information, among multiple items of information, have been modified so that the client can be sent updated information without sending information that has not been updated.

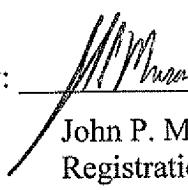
CONCLUSION

For all of these reasons the art rejections are clear error. Removal of the rejections and allowance of the application is requested.

The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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